

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

IN THE MATTER OF:

JOHNALEX J BURGOS HERNANDEZ

CASE NO. 10-09073-BKT

CHAPTER 13

MOTION SUBMITTING AMENDED PLAN

TO THE HONORABLE COURT:

Come now Debtor, represented by the undersigned attorney, and very respectfully avers and prays as follows:

1. On September 30, 2010, the debtor filed a Chapter 13 Plan under the provisions of the Bankruptcy Code.
2. The undersigned herein submits an amended Chapter 13 plan dated December 31, 2010.

WHEREFORE applicant prays from this Honorable Court to take notice of the aforementioned information and grant any appropriate relief.

NOTICE: Within thirty (30) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this December 31, 2010.

CERTIFICATE OF SERVICE: I hereby certify that on this same date the foregoing motion was filed with the Clerk of the Court using the CM/ECF system, which

will send notification of such filing to all CM/ECF participants and further certify that an exact copy will be sent by mail to all creditors and parties in interest in the attached mailing matrix.

EMG Despacho Legal, C.R.L.

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By: /s/Edgardo Mangual González
EDGARDO MANGUAL GONZÁLEZ
USDC No. 223113

**United States Bankruptcy Court
District of Puerto Rico**

IN RE:

Case No. **10-09073-13**

BURGOS HERNANDEZ, JOHNALEX J

Chapter **13**

Debtor(s)

CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

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|---|--|
| PLAN DATED: _____ <input checked="" type="checkbox"/> AMENDED PLAN DATED: 12/31/2010 | |
| <input type="checkbox"/> PRE <input type="checkbox"/> POST-CONFIRMATION Filed by: <input checked="" type="checkbox"/> Debtor <input type="checkbox"/> Trustee <input type="checkbox"/> Other | |
| I. PAYMENT PLAN SCHEDULE \$ 500.00 x 3 = \$ 1,500.00 \$ 595.00 x 55 = \$ 32,725.00 \$ _____ x _____ = \$ _____ \$ _____ x _____ = \$ _____ \$ _____ x _____ = \$ _____ TOTAL: \$ 34,225.00 Additional Payments: \$ 4,000.00 to be paid as a LUMP SUM within 47 months with proceeds to come from: <input type="checkbox"/> Sale of Property identified as follows: <input checked="" type="checkbox"/> Other: COME FROM ANNUALLY TAX REFUNDS Periodic Payments to be made other than, and in addition to the above: \$ _____ x _____ = \$ _____ PROPOSED BASE: \$ 38,225.00 III. ATTORNEY'S FEES (Treated as § 507 Priorities) Outstanding balance as per Rule 2016(b) Fee Disclosure Statement: \$ 2,300.00 Signed: <u>/s/ JOHNALEX J BURGOS HERNANDEZ</u> Debtor Joint Debtor | II. DISBURSEMENT SCHEDULE A. ADEQUATE PROTECTION PAYMENTS OR _____ \$ _____ B. SECURED CLAIMS: <input type="checkbox"/> Debtor represents no secured claims. <input checked="" type="checkbox"/> Creditors having secured claims will retain their liens and shall be paid as follows: 1. <input checked="" type="checkbox"/> Trustee pays secured ARREARS: Cr. BANCO POPULAR D Cr. _____ Cr. _____ # 166641-2 # _____ # _____ \$ 13,172.46 \$ _____ \$ _____ 2. <input checked="" type="checkbox"/> Trustee pays IN FULL Secured Claims: Cr. COOP. ORIENTAL Cr. CRIM Cr. _____ # 69166-1 # cl #5 # _____ \$ 15,219.06 \$ 1,655.34 \$ _____ 3. <input type="checkbox"/> Trustee pays VALUE OF COLLATERAL: Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 4. <input checked="" type="checkbox"/> Debtor SURRENDERS COLLATERAL to Lien Holder: EMPRESAS BERRIO /Coop. Oriental (shares) 5. <input type="checkbox"/> Other: 6. <input checked="" type="checkbox"/> Debtor otherwise maintains regular payments directly to: BANCO POPULAR D C. PRIORITIES: The Trustee shall pay priorities in accordance with the law. 11 U.S.C. § 507 and § 1322(a)(2) D. UNSECURED CLAIMS: Plan <input type="checkbox"/> Classifies <input checked="" type="checkbox"/> Does not Classify Claims. 1. (a) Class A: <input type="checkbox"/> Co-debtor Claims / <input type="checkbox"/> Other: _____ <input type="checkbox"/> Paid 100% / <input type="checkbox"/> Other: _____ Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 2. Unsecured Claims otherwise receive PRO-RATA disbursements. OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.) ATTYS FEES TO BE PAID FIRST. ANY POST PETITION INCOME TAX REFUNDS THAT THE DEBTOR(S) WOULD BE ENTITLED TO RECEIVE DURING THE TERM OF THE PLAN WILL BE USED TO FUND THIS PLAN. AFTER ITS CONFIRMATION, AND WITHOUT FURTHER NOTICE, HEARING OR COURT ORDER, THE PLAN SHALL BE DEEMED MODIFIED BY THE INCREMENT(S) TO ITS BASED, IN AN AMOUNT EQUAL TO THE AMOUNT OF EACH INCOME TAX REFUNDS. ADEQUATE PROTECTION PAYMENT TO COOP. ORIENTAL IN THE AMOUNT OF \$100.00 UNTIL CONFIRMATION OF THE PLAN. INSURANCE TO BE PROVIDED AT MATURITY DATE (04/23/2013) TO COOP. ORIENTAL BY EASTERN AMERICAN UNIVERSAL INSURANCE (\$47.00 X 29 = \$1,363.00) |

Attorney for Debtor **EMG Despacho Legal, CRL**

Phone: **(787) 753-0055**

Label Matrix for local noticing
0104-3
Case 10-09073-BKT13
District of Puerto Rico
Old San Juan
Sat Oct 30 12:12:09 AST 2010

US Bankruptcy Court District of P.R.
U.S. Post Office and Courthouse Building
300 Recinto Sur Street, Room 109
San Juan, PR 00901-1964

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The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d)COOP A/C ORIENTAL
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Total 14